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8

9 *Attorneys for Defendants*

10 [additional counsel listed in signature block]

11 **UNITED STATES DISTRICT COURT**  
12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

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14 )  
15 ECOLOGICAL RIGHTS )  
FOUNDATION, a non-profit corporation )  
16 Plaintiff, ) Case No. 4:24-cv-03665-HSG  
17 v. )  
18 UNITED STATES ENVIRONMENTAL )  
PROTECTION AGENCY, and )  
MICHAEL S. REGAN, as Administrator )  
of the United States Environmental )  
Protection Agency, )  
22 *Defendants.*

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**STIPULATION AND ORDER TO**  
**CONTINUE CASE MANAGEMENT**  
**DEADLINES (as modified)**

1 Plaintiff Ecological Rights Foundation and Defendants United States Environmental  
2 Protection Agency (“EPA”) and Michael S. Regan, Administrator of the EPA (collectively, the  
3 “Parties”) stipulate as follows:

4 1. The Parties have initiated settlement negotiations and are making meaningful progress  
5 on reaching a mutually agreeable solution.

6 2. The Parties agree that a 45-day extension of case management deadlines will be  
7 beneficial to the Parties and conserve efficient use of the Court’s resources while the Parties  
8 continue to negotiate a potential resolution to this case without further litigation.

9 3. The parties agree to extend the Initial Case Management Conference to Tuesday  
10 November 12, 2024. *See ECF 20.*

11 5. The Parties have stipulated to extend the Defendants’ responsive pleading deadline to  
12 October 15. ECF 18.

13 6. The Parties understand that the current case management deadlines have been  
14 established by Docket entries 4 (Initial Case Management Scheduling Order), 14 (Order  
15 Reassigning Case), and 15 (Clerk’s Notice Setting a Case Management Conference). The current  
16 case management deadlines are as follows:

17 September 3, 2024 – Deadline to file ADR Certification

18 September 3, 2024 – Deadline to meet and confer re: initial disclosures, early  
19 settlement, ADR process selection, and discovery plan

20 September 16, 2024 – Deadline to make initial disclosures

21 September 17, 2024 – Deadline to file Joint Case Management Statement

22 September 24, 2024 – Initial Case Management Conference

23 7. With the exception of the Initial Case Management Conference, the Parties seek to  
24 continue all case management deadlines by 45 days. The Parties are seeking a further  
25 continuance of the Initial Case Management Conference to allow it to fall on a Tuesday, when  
26 the Court conducts case management conferences. The parties agree to amend the deadlines as  
27 follows:

28 October 18, 2024 – Deadline to file ADR Certification

1                   October 18, 2024 – Deadline to meet and confer re: initial disclosures, early  
2                   settlement, ADR process selection, and discovery plan

3                   October 31, 2024 – Deadline to make initial disclosures

4                   November 1, 2024 – Deadline to file Joint Case Management Statement

5                   November 12, 2024 – Initial Case Management Conference

6                   8. The Parties respectfully request that this Court enter this stipulation and extend all  
7 case management deadlines as outlined above.

8                   9. The undersigned counsel for Defendants attest that the other signatories listed below  
9 concur in the filing of this document.

11 Dated: September 3, 2024

Respectfully submitted,

12 s/ Elizabeth Berg

13 ELIZABETH BERG

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16 s/ Christopher Sproul

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19 *Counsel for Defendants*

20 *Counsel for Plaintiff*

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6                   **ORDER**  
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9                   The Parties' Joint Stipulation to continue all case management deadlines is **GRANTED**  
10 and the following deadlines are entered:

11                   October 18, 2024 – Deadline to file ADR Certification  
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13                   October 18, 2024 – Deadline to meet and confer re: initial disclosures, early settlement,  
14                   ADR process selection, and discovery plan

15                   October 31, 2024 – Deadline to make initial disclosures

16                   November 1, 2024 – Deadline to file Joint Case Management Statement

17                   November 12, 2024 at 2 p.m. – Initial Case Management Conference via a Zoom  
18                   webinar. The Zoom webinar information and instructions remain the same as  
19                   previously provided in docket no. 15.

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21                   PURSUANT TO STIPULATION, IT IS SO ORDERED.  
22 Date 9/3/2024

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24                   The Honorable Haywood S. Gillam, Jr.  
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